

United States District Court

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

NOV 18 2005

Eastern District of Washington

JAMES R. LARSEN, CLERK

DEPUTY
RICHLAND, WASHINGTON

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**
(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Jeffery H. Hunlock

Case Number: 2:98CR06018-001

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea

Date of Original Sentence: 08/19/1999

Type of Supervision: Supervised Release

Date of Revocation: 05/04/2005

Original Offense: Felon in Possession of a Firearm
and Ammunition, 18 U.S.C. § 922 (g)(1)

Date Supervision Commenced: 11/10/2005

Revocation Sentence: Prison - 7 months;
TSR - 12 months

Date Supervision Expires: 11/09/2006

PETITIONING THE COURT

To modify the conditions of supervision as follows:

Amended Special Condition #14: You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer. The urinalysis shall not exceed six submissions in a 1-month period.

CAUSE

The probation office requests the above amended special condition be modified, based on United States v. Stephens, 424 F.3d 876 (9th Cir.2005), requiring that the Court order not to exceed urinalysis collection requirement. Mr. Hunlock agreed to the amended special condition.

Mr. Hunlock was released from imprisonment on November 10, 2005. He is now residing at Christmas House located at 3000 West Sunset Highway, Room 21, Spokane, Washington. Christmas House prohibits alcohol and controlled substances. The probation office has supervised other individuals living at this facility. We expressed our concern to Mr. Hunlock for choosing to reside at this location based on the history of alleged drug activities taking place there. Mr. Hunlock advised that within the last 2 months, this facility has taken measures to reduce the likelihood of drug activities. He advised that he is not interested in returning to a community corrections center, as it would be difficult for him emotionally to cope while residing at such a facility.

Prob 12B

Re: Hunlock, Jeffery H

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While Mr. Hunlock reported for an intake appointment on November 15, 2005, he smelled of intoxicants and his eyes were watery. He voluntarily submitted to a breathanalysis which tested .011 percent blood alcohol content. Although Mr. Hunlock is not prohibited from alcohol use under the terms of supervised release, he will be while residing at Christmas House. Also, if he continues to consume alcohol, this may present him with more opportunities to use controlled substances. To his credit, the urinalysis submitted on November 15, 2005, was negative for controlled substances.

Respectfully submitted,

by 

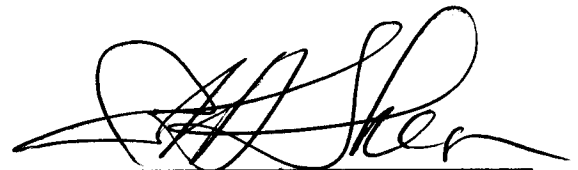
Missy K. Kolbe

U.S. Probation Officer

Date: November 15, 2005

THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other



Signature of Judicial Officer

11/18/05

Date

United States District Court

Eastern District of Washington


Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

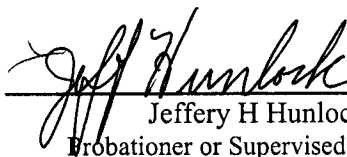
I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

Amended Special Condition #14: You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer. The urinalysis shall not exceed six submissions in a 1-month time period.

Witness:


Missy K. Kolbe
U.S. Probation Officer

Signed:


Jeffery H Hunlock
Probationer or Supervised Releasee

November 15, 2005

Date